



**TEXAS DEPARTMENT OF CRIMINAL JUSTICE
OFFICE OF THE INSPECTOR GENERAL**

John M. Moriarty
Inspector General

Chris Stallings
Deputy Director

November 18, 2005

Texas Tech University Health Sciences Center
Office of General Counsel
Attn. Joanna Harkey
3601 4th Street, Suite 2B137
Lubbock, Texas 79430

Re: Subpoena Duces Tecum – Charles E. Finke, Jr. #791418

Dear Ms. Joanna Harkey:

In response to a Subpoena received at the Office of the Inspector General on November 3, 2005 issued by the 12th Judicial District Court, Walker County, Texas, (OIG) has one responsive file.

Please find enclosed copy of OIG Criminal Investigation 99-1487.

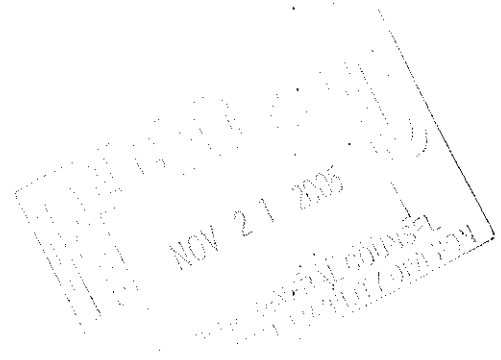
If further assistance is needed on the matter, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Flor Banos".

Flor Banos
Open Records Coordinator
Office of the Inspector General

Enclosures





OFFENSE/INVESTIGATIVE REPORT

OFFENSE: DEATH IN CUSTODY, 49.18 CCP						CLASSIFICATION: N/A		IAD CASE NUMBER: 99-1487TDCJ					
LOCATION OCCURRED: 31A ROW, 10 CELL, HUNTSVILLE UNIT						COUNTY IN WHICH OFFENSE OCCURRED: WALKER			TYPE OF PREMISES: STATE PRISON				
DATE: AUGUST 8, 1999		TIME: 12:20 P.M.		DAY: SUNDAY		DATE REPORTED: AUGUST 8, 1999		TIME REPORTED: 12:36 P.M.		RECEIVED BY: INV MARK COLE			
PERSON REPORTING OFFENSE: WARDEN TIMOTHY NEW						ADDRESS: HUNTSVILLE UNIT							
BUSINESS PHONE: (409)437-1975						RESIDENCE PHONE: N/A							
VICTIM #1 NAME: (Last, First, MI) FINKE, CHARLES E. (DECEASED)						ADDRESS: HUNTSVILLE UNIT							
BUSINESS PHONE: N/A						RESIDENCE PHONE: N/A							
OCCUPATION: OFFER, TDCJ-ID# 791418						RACE: W	SEX: M	DOB: 06-24-61		EMPLOYED BY: N/A			
VICTIM #2 NAME: (Last, First, MI)						ADDRESS:							
BUSINESS PHONE:						RESIDENCE PHONE:							
OCCUPATION:						RACE:	SEX:	DOB:		EMPLOYED BY:			
SUBJECT #1 NAME: (Last, First, MI)						ADDRESS:							
SEX:	RACE:	DOB:	HEIGHT:	WEIGHT:	BUILD:	HAIR:	EYES:	COMPLEXION:	TDCJ-ID or SOCIAL SECURITY NUMBER:				
TDCJ EMPLOYEE? YES <input type="checkbox"/> NO <input type="checkbox"/>						EMPLOYEE JOB TITLE:						EMPLOYEE JOB LOCATION:	
TDCJ INMATE? YES <input type="checkbox"/> NO <input type="checkbox"/>						PAROLEE? YES <input type="checkbox"/> NO <input type="checkbox"/>		SUBJECT #1 ADDITIONAL INFORMATION:					
SUBJECT #2 NAME: (Last, First, MI)						ADDRESS:							
RACE:	DOB:	HEIGHT:	WEIGHT:	BUILD:	HAIR:	EYES:	COMPLEXION:	TDCJ-ID or SOCIAL SECURITY NUMBER:					
TDCJ EMPLOYEE? YES <input type="checkbox"/> NO <input type="checkbox"/>						EMPLOYEE JOB TITLE:						EMPLOYEE JOB LOCATION:	
TDCJ INMATE? YES <input type="checkbox"/> NO <input type="checkbox"/>						PAROLEE? YES <input type="checkbox"/> NO <input type="checkbox"/>		SUBJECT #2 ADDITIONAL INFORMATION:					
DRUG RELATED? YES <input type="checkbox"/> NO <input type="checkbox"/>						TYPE:						AMOUNT:	
BOOKED? YES <input type="checkbox"/> NO <input type="checkbox"/>						LOCATION:		BOND:		PROPERTY SEIZED/CONFISCATED? YES <input type="checkbox"/> NO <input type="checkbox"/>		IF YES, DESCRIBE:	

SUMMARY: ON 08-08-99, OFFENDER FINKE WAS FOUND BY OFFICER JOHNSON LAYING ON THE FLOOR AGAINST THE WALL IN 31A ROW, 10 CELL. JOHNSON WAS UNABLE TO GET FINKE TO RESPOND, REQUESTED ASSISTANCE AND MEDICAL STAFF. MEDICAL STAFF ARRIVED, CPR WAS STARTED AND FINKE WAS TRANSPORTED TO THE INFIRMARY. DR. GALLOWAY PRONOUNCED FINKE DEAD. JP BRADLEY, PCT 2, HELD AN INQUEST AND ORDERED AN AUTOPSY. FINKE WAS TRANSPORTED TO UTMB HOSPITAL, GALVESTON, TX, BY HUNTSVILLE FUNERAL HOME.

TEAM CHIEF INITIAL _____

CIQB INITIAL _____

IA-02C (Rev.10/97)

INVESTIGATOR'S SIGNATURE / DATE _____

APPROVING AUTHORITY SIGNATURE / DATE _____



Te Department Of Criminal Just.
INTERNAL AFFAIRS DIVISION

SUPPLEMENT OFFENSE REPORT

OFFENSE: Death in Custody, 49.18 CCP	IAD CASE NO.: 99-1487TDCJ
LOCATION: Huntsville Unit	DATE OF OFFENSE: August 8, 1999
VICTIM: FINKE, Charles (Deceased) TDCJ-ID# 791418	DATE OF SUPPLEMENT REPORT: September 23, 1999

CASE NARRATIVE:

At 12:20 p.m., August 8, 1999, Officer Tommie JOHNSON, SS# 464-74-7031, was notifying all the offenders on 31A Row, to get ready to eat. Officer JOHNSON observed Offender Charles FINKE, TDCJ-ID# 791418, getting dressed when he walked by FINKE's cell. When Officer JOHNSON came back by FINKE's cell, he noticed FINKE laying on the floor against the wall. Officer JOHNSON had Officer Leonard CHENEVERT, SS# 462-02-1639, notify the unit infirmary that an offender was down. Registered Nurse (RN) Mary PAIGE, SS# 459-74-4336, arrived and started Cardiopulmonary Resuscitation (CPR). FINKE was transported to the unit infirmary. Huntsville/Walker County Emergency Medical Services was notified and responded to the unit infirmary. Doctor Carolyn GALLOWAY, Herman Hospital, was notified of FINKE's condition and ordered CPR stopped.

Justice of the Peace Amy BRADLEY, Precinct 2, arrived at 1:25 p.m., August 8, 1999, and held an inquest and signed an order for autopsy.

Investigator Mark COLE was notified at 12:25 p.m., August 8, 1999, and arrived at the Huntsville Unit at 1:00 p.m.. The investigator examined the body in the unit infirmary. The examination did not disclose any puncture, lacerations, abrasions or ligatures. The proper documentation was obtained and the body was released to representatives of the Huntsville Funeral Home at 1:45 p.m.. The next of kin, Mr. Charles FINKE, 9845 Camden Drive, Ventura, CA (father) was notified by Officer TRACEY, Police Department, Ventura, CA, at 1:50 p.m., August 8, 1999.

A review of the Medical Records disclosed that Offender FINKE had a history for a depressive disorder. All complaints, injuries and treatment were documented in the medical records.

At 8:27 a.m., August 9, 1999, Doctor Judith ARONSON, Pathologist, Autopsy Service, University of Texas Medical Branch (UTMB), Galveston, Texas, performed the autopsy on Offender FINKE and listed the cause of death as Heat Stroke.

INVESTIGATING OFFICER(S)	IS FURTHER ACTION REQUIRED?	STATUS OF CASE	CASE DISPOSITION
(1) <i>[Signature]</i>	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	<input checked="" type="checkbox"/> Cleared <input type="checkbox"/> Not Cleared <input type="checkbox"/> Unfounded	<input type="checkbox"/> Complainant Refused to Prosecute <input type="checkbox"/> Case Presented and Prosecution Refused <input checked="" type="checkbox"/> Pending Prosecution
(2) <i>[Signature]</i>			
APPROVING SUPERVISOR			

VICTIM(S) STATEMENT:

Deceased.

SUSPECT(S) STATEMENT:

None.

WITNESSES:

JOHNSON, Tommie, SS# 464-74-7031, COIII, Huntsville Unit: can testify to seeing FINKE getting dressed and then finding FINKE laying down and calling for assistance.

CHENEVERT, Leonard, SS# 462-02-1639, COIII, Huntsville Unit: can testify that Officer BABCOCK notified him an offender was down and he called the infirmary.

BABCOCK, THOMAS, SS# 454-58-9302, COIII, Huntsville Unit: can testify that Officer JOHNSON notified him an offender was down and he notified Officer CHENEVERT, who called for assistance.

PAIGE, Mary, SS# 459-74-4336, Registered Nurse, Huntsville Unit: can testify to responding to the scene and beginning CPR.

DAVIS, Campbell, TDCJ-ID# 822537, Offender, Huntsville Unit: can testify that he was the SSI and was handing out water and tea on 31A Row from 7:00 a.m. to 11:00 a.m. on August 8, 1999, and FINKE refused the drinks.

EVIDENCE:

None

ATTACHMENTS:

1. Investigator's Report from Investigator COLE, dated August 8, 1999.
2. Medical Records for Offender FINKE for seventy-two (72) hours prior to death.
3. Order for Autopsy, issued by Justice of the Peace Amy BRADLEY, dated August 8, 1999.
4. Statement of Officer JOHNSON, dated August 8, 1999.
5. Statement of Officer CHENEVERT, dated August 8, 1999.

6. Statement of Officer BABCOCK, dated August 8, 1999.
7. Statement of RN PAIGE, dated August 9, 1999.
8. Statement of Offender DAVIS, dated August 9, 1999.
9. Travel Card pertaining to Offender FINKE.
10. Two (2) photographs of body.
11. Copy of Autopsy Number AU-99-00224, pertaining to Offender FINKE, dated September 21, 1999.

JWA



Texas Department Of Criminal Justice
INTERNAL AFFAIRS DIVISION

INVESTIGATOR'S REPORT
OF CUSTODIAL DEATH

IAD TRANSITORY NUMBER (if necessary) 99-08-01 TDCJ		99-1487	
IAD CASE NUMBER 99-1487	EAC NUMBER I-	OFFICIAL DATE & TIME OF DEATH 08/08/99 12:36 AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>	AUTOPSY ORDERED? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
DECEDENT NAME (Last, First, MI) Finke, Charles Edward Jr.	RACE W	SEX M	AGE 38
D.O.B. 06/24/61	TDCJ ID NUMBER 791418	UNIT OF ASSIGNMENT Huntsville Unit	DATE & TIME FOUND 08/08/99 12:20 AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>
PLACE OF DEATH Huntsville Unit Infirmary	CITY Huntsville, TX	COUNTY Walker	ZIP CODE 77340
J.P.M.E. NOTIFIED (Name) ny Bradley	PRECINCT 2	DATE & TIME J.P.M.E. NOTIFIED 08/08/99 1:25 AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>	PHOTOGRAPHS? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
PLACE OF INQUEST Huntsville Unit Infirmary	DATE & TIME OF INQUEST 08/08/99 1:25 AM <input checked="" type="checkbox"/> PM <input type="checkbox"/>		
★ LOCATION, POSITION and SURROUNDINGS of BODY ★			
offender in the Huntsville Unit Infirmary on a gurney. offender had his TDCJ-ID issued pant on backwards.			
★ SUMMARY of HOW DEATH OCCURRED ★			
offender found in cell 31A10 in Five Building (Single Cell) unresponsive. CPR was initiated. offender taken to Huntsville Unit Infirmary, CPR was continued. Walker County Ems was notified & arrived. CPR was continued. Dr. Carolyn Galloway Herman Hospital was notified & Dr. Galloway order CPR stopped offender had 106° temp axillary			
TRANSPORTING FUNERAL HOME Huntsville Funeral Home		RECEIVING FUNERAL HOME Huntsville Funeral Home	
INVESTIGATOR SIGNATURE W. W. Cole		TELEPHONE NUMBER 409-437-1661	

Law Enforcement Agency: TEXAS DEPARTMENT OF CRIMINAL JUSTICE

INTERNAL AFFAIRS DIVISION

P.O. Box 4003 - Huntsville, TX 77342-4003
409/294-6716

INVESTIGATOR'S REPORT OF CUSTODIAL DEATH

(Continued)

EXAS DEPARTMENT OF CRIMINAL JUSTICE

INTERNAL AFFAIRS DIVISION

IAD CASE NUMBER

99-1487

DECEDENT NAME (Last, First, MI)

Finke, Charles Edward Jr.

TDCJ ID Number

791418

★ CLOTHING WORN BY DECEDENT ★

None ☐Pants ☒Shoes/Boots ☒Jacket ☐Belt ☐Gown/Blouse ☐Dress ☐Other ☒

1 off white colored shirt / 1 gray colored sock / 1 - Black colored Boot

★ PROPERTY SENT WITH DECEDENT ★

None

★ MEDICAL HISTORY ★

Was Death Attended: Yes ☐ No ☒Previous History of Illness: Yes ☐ No ☒History of Suicide: Yes ☐ No ☒HIV: Yes ☐ No ☒

HOSPITAL NAME

ADDRESS

TELEPHONE

PHYSICIAN CONTACTED (Name)

ADDRESS

TELEPHONE

Dr. Carolyn Galloway Herman Hospital Houston, TX

DIAGNOSIS:

1. Known

★ NEXT OF KIN INFORMATION ★

NEXT OF KIN

ADDRESS

RELATIONSHIP

Norman Finke

10422 Bolder Court, Ventura, Ca.

Brother

NEXT OF KIN NOTIFIED BY

TELEPHONE

DATE & TIME NOTIFIED

/

/

:

AM ☐ PM ☐

★ IDENTIFICATION ★

★ DOCUMENTATION ★

IOW: ☒ Inmate Records ☐ Fingerprints☐ Viewed At Hospital/Scene ☐ Other☒ Order for Autopsy☒ Clinic Notes (last 72 hrs)☒ ER Report (if available)☒ Copy of Travel Card

Arden Timothy New

Identification Made By:

Relationship to Decedent:

REPORT DISTRIBUTION: (Include Complete Documentation)

(1) Case File

(2) J.P.

(3) To Accompany Body

CLINIC NOTES

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
INSTITUTIONAL DIVISIONName: Lincoln CharlesTDCJ No.: 791418Unit: gm

Date & Time	Notes
6-7-99	0830 No sleep deprived EEG Done. pt slept all night. ate Caffeine free breakfast alert & Cooperative <u>B. J. Bennett</u> Jan
7/20/99 0730	OP scheduled for ortho OPC, see notes under removal section of Brown chart <u>B. J. Bennett</u>
8/15/99 1500	OP to chain out by Blue Chart, Brown Charts, Med. MAR released to medical records. <u>M. Martin</u> Jan
8/8/99 1200	Called to 5 bldg for pt "passed out." @ Unresponsive & pulse & resp. weak, hands mottled. CPR started enroute to Clinic, unable to insert oral airway - mouth stiff. Mouth & D site stiff. Connected to monitor. Flat line on 2 lead ECG. O2 to airway for continuous CPR. Security bank @ bedside accompanied to Clinic.
8/8/99 1235	Mr. Moseley FHP called instructed to call 911/911 called. 1230 Walker County Sheriff's continued care.
8/8/99 1234	Mr. Carolyn Holloway from Hummer Hospital pronounced time of death per paramedic Jeff Fritz, Field Supervisor. <u>M. Page</u>
8/8/99 1240	C. Langmuir M.D. not present of events. Mr. Page, per Security bank following up & notifications on Page
8/8/99 1300	Judge Bradley here. <u>M. Page</u>

Please sign each entry with status.

BY

Master Problem List

1. "Date Onset" = Date when Evidence of the problem began.
2. "Date Active" = Date when the problem was recognized or formulated.
3. "Resolution" = Problem no longer considered to be active; A dated, initialed comment amplifies.

INSTITUTIONAL DIVISION

MEDICATION PASS

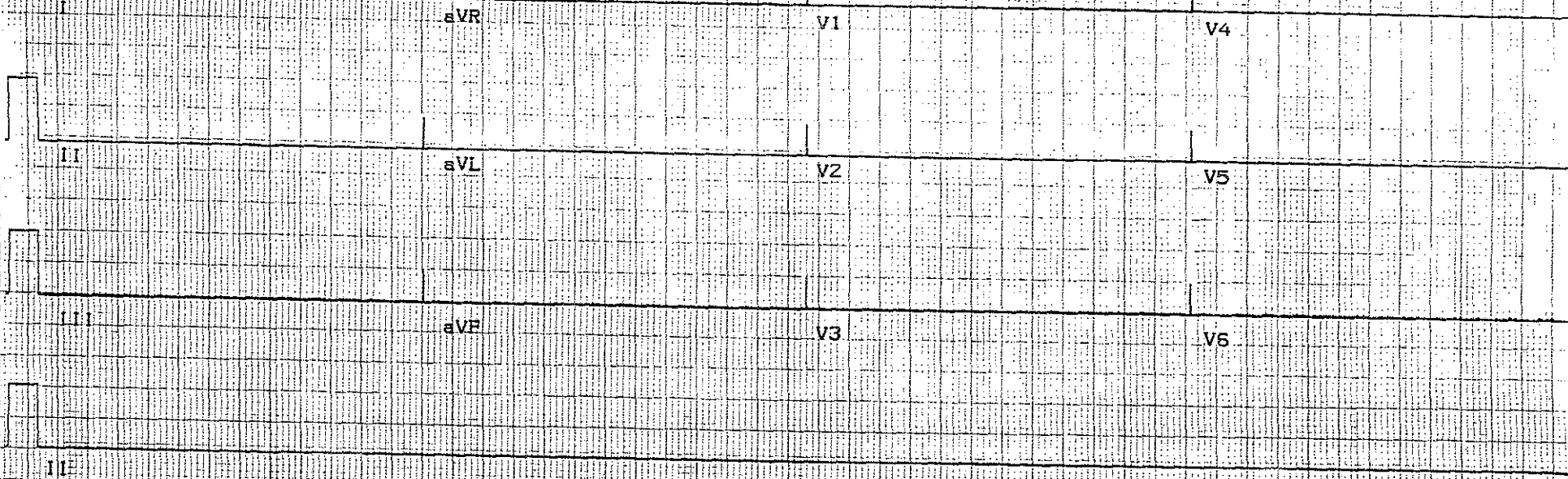
06/10/1999

TDC NO.: 00791418
UNIT: JNNAME: FINKE, CHARLES EDWARD JR
HOUSING LOCATION: DORM B2 BED: 023

DRUG	PRESCRIBER	START DT	EXP DATE	RENEW	FINAL EXP
VALPROIC ACID 250MG CAP GIVE 2 CAPS PO Q PM -P	PETERSON, PHYLLI	05/25/99	06/23/99	0 0	00/00/00
BENZTROPINE MES 2MG TABLET GIVE 1 TAB PO Q PM -P	PETERSON, PHYLLI	05/25/99	06/23/99	0 0	00/00/00
ANTACID CHEWABLE TABLET CHEW 2 TABS PO TID -P	PETERSON, PHYLLI	05/25/99	06/23/99	0 0	00/00/00
HYDROXYZINE 50MG GIVE 100MG PO Q PM	MATTISON, MYRON (A.23111 E.8/24)	05/26/99	06/24/99	0 0	00/00/00
DOXEPIN 25MG CAPSULE GIVE 50MG PO Q HS	CHAVEZ, MARINA	06/01/99	06/14/99	0 0	00/00/00
CHLORPROMAZINE 100MG TABLET GIVE 1 TAB PO Q PM -P	CHAVEZ, MARINA	06/09/99	06/22/99	0 0	00/00/00

Name: *Frank, Charles* ID: *791418* 08-AUG-99 10:27 HUNTSV
 25mm/s 10mm/mV 100Hz

203



Jupiter, Florida, U.S.A.

Name: *Frank, Charles* ID: *791418* 08-AUG-99 10:27
 Med:
 Age: *38* Ht: *70"* Wt: *264*
 Sex:
 Race:
 Loc: *ZE* Room:
 Cart: *6* Tech:
 Vent. rate *0* BPM
 PR interval *** ms
 QRS duration *0* ms
 QT/QTc *0* ms
 P-R-T axes *** *0* G
 Pgm *109A/110* Unconfirmed
 Referred by:
 *** POOR DATA QUALITY. INTERPRETATION MAY BE ADVERSELY AFFECTED

Name: *Frank, Charles*
 TDCJ No.: *791418*
 Unit: *Huntsville*

Date & Time

DEPARTMENT OF CRIMINAL JUSTICE
INSTITUTIONAL DIVISION
EMERGENCY RECORD

DATE: 8/8/99		UNIT: Huntsville		ER NUMBER: 99119	
TIME IN 12:30 P	DR. CALLED 12:25 Masely, FNP	MODE OF TRANSPORTATION Stretcher		DR. ARRIVED 12:30 Walker Co EMS here	TIME OUT
NAME (Last, First, Middle): Fink, Charles				TDCJ-ID #: 791418	
PATIENT'S UNIT ASSIGNMENT: HU		DOB: 06/24/61	AGE: 38	SEX: M	ALLERGIES: Penicillin
CONDITION: <input type="checkbox"/> STABLE <input type="checkbox"/> GUARDED <input type="checkbox"/> SERIOUS <input checked="" type="checkbox"/> CRITICAL					

NURSE ASSESSMENT: 12:30 Called to 5 Bldg. pt "passed out". Unresponsive to verbal command. 8 resps & pulse skin mottled, arms hands. CPR started & continued expect to be able to insert oral airway, mouth not open. 12:35 M. Masely FNP, Walker Co. EMS called. 12:36 Walker Co. EMS arrived & continued CPR. Connected to ECG monitor, placed in ice.	TIME	12:30	12:35				
	TEMP	98.6	100.4				
	B/P	0	114/82				
	PULSE	0					
	RESP	0					

NURSE SIGNATURE: M. Pagan

HISTORY: Major depressive disorder

EXAMINATION: Found pt lying on back & legs on floor. Unresponsive to verbal command & resps, 8 pulses face, arms hands mottled. CPR started. Injured to spine per stretcher.

DATA: 0

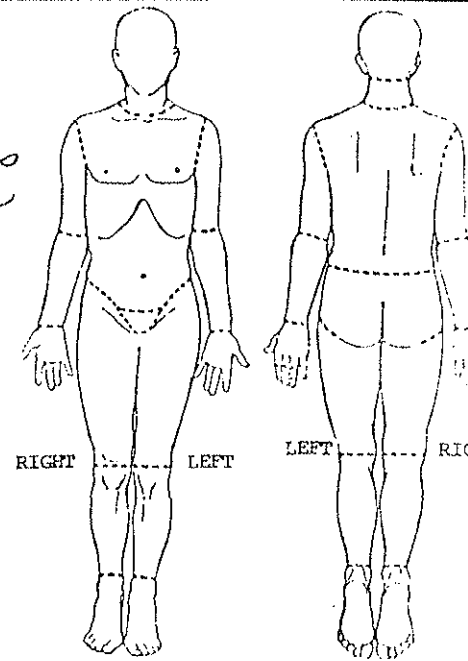
DIAGNOSIS/IMPRESSION: Unresponsive

TREATMENT/ORDERS: 12:35 M. Masely FNP Called - order to Call CPR

12:30 Walker Co. EMS here. TO M. Masely FNP / M. Pagan

12:36 Code called by Dr. Carolyn Hallway, Sherman Hospital

Jeff Fritz Paramedic Field Supervisor



TIME	MEDICATION	DOSAGE	ROUTE	GIVEN BY	IV #1	TIME STARTED
					SOLUTION ADDITIVE	
					RATE	
					SITE	
					GAUGE	
					STARTED BY	
					AMOUNT INFUSED	

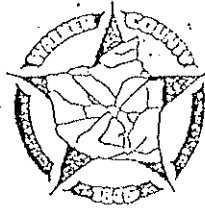
DISPOSITION OF PATIENT:

SIGNATURES: _____ (RN/LVN/PA) _____ (PHYSICIAN)

White (Patient Health Jacket)

Yellow (Unit ER)

Pink (In-Patient Admission)



Amy Bradley

Justice of the Peace

Precinct 2

ORDER FOR AUTOPSY

I, AMY BRADLEY, JUSTICE OF THE PEACE, PCT. TWO, WALKER COUNTY, TEXAS HEREBY ORDER
THE UTMB - GALVESTON OR ONE OF HIS DESIGNATED ASSISTANT MEDICAL
EXAMINERS TO PERFORM AN AUTOPSY ON THE BODY OF Charles E. Finke Jr.

TSC #191418
WHO DIED ON 8-8-99 IN HUNTSVILLE WALKER COUNTY TEXAS.

IT IS UNDERSTOOD THAT DUE CARE WILL BE TAKEN TO AVOID UNNECESSARY DISFIGURATION
OF THE BODY.

DATED THIS 8 DAY OF August 19 99 AT HUNTSVILLE IN
THE STATE OF TEXAS.

Amy Bradley

AMY BRADLEY
JUSTICE OF THE PEACE
PCT. TWO
WALKER COUNTY, TEXAS

AUTO-ME.ANY

1 Term Ref.

State Off. 1005/131-1977

Fax 409/436-4980

Plaintiffs MSJ Appx. 4025

At Hwy. 75 North



Texas Department Of Criminal Justice
INTERNAL AFFAIRS DIVISION

VOLUNTARY WRITTEN STATEMENT

VOLUNTARY STATEMENT OF Tommy L. Johnson

GIVEN THIS 8 DAY OF August 8, 19 99

at 1130 o'clock A M. My name is Tommy L. Johnson

My address and telephone number are 101 Mutt Young Road Huntsville, Tex
77340 409 2916763

Sunday 1130AM I OFFICER T. Johnson Co 3 was assigned to 31-A and B. OFFICER Chen Everett was working 31-A and B Keys. OFFICER Chen Everett told me OFFICER Johnson get all the inmates ready for chow. I OFFICER T. Johnson went to 31-A-10 Cell Inmate Charles, Finkie 791418 to get ready for chow. Inmate Finkie started to get ready and dress putting his clothes on. For chow. After 2 or 3 minutes I went back to inmate Finkie cell. The inmate was laying back against the wall on his bunk. I told the Inmate to get up 5 or 6 times he did not move. I told officer Babcock to call medical we have one down.

WITNESSES:

PERSON MAKING STATEMENT:

Dennis Maynard, II.

Tommy L. Johnson
Signature

Page 1 of 1 Pages



Texas Department Of Criminal Justice
INTERNAL AFFAIRS DIVISION

VOLUNTARY WRITTEN STATEMENT

VOLUNTARY STATEMENT OF LEONARD D. CHENEVERT 462-02-163
GIVEN THIS 9 DAY OF AUGUST, 19 99
at 11:00 o'clock AM M. My name is LEONARD D. CHENEVERT
My address and telephone number are HUNTSVILLE UNIT
10TH STREET, HUNTSVILLE, TX 77340

re
I OFFICER L. CHENEVERT ON AUGUST 8, 1999
WHILE WORKING THE HALLWAY OF 5 BUILDING
ON THE BOTTOM SECTION AT APPROX. 11:30 AM
WAS NOTIFIED BY OFFICER BABCOCK ABOUT
AN INMATE FINKIE, CHARLES #791418 DOWN IN re
HIS CELL. I CHENEVERT CALLED MEDICAL IMMEDIATELY
AND OUR SUPERVISOR LT. MAY WALD CAME TO OUR
AREA. I THEN ASSISTED MEDICAL TO PICK UP
THE INMATE OUT OF HIS CELL 31A10.
MEDICAL STARTED CPR, THEN US (ALL OFFICERS)
CARRIED THE INMATE OUT OF THE CELL BLOCK.
AT THE TANK DOOR, ANOTHER OFFICER TOOK MY
POSITION WITH THE STRETCHER. THEN I RESUMED
MY REGULAR DUTIES. re

WITNESSES:

[Signature]

PERSON MAKING STATEMENT:

[Signature]
Signature

Page 1 of 1 Pages



Texas Department Of Criminal Justice
INTERNAL AFFAIRS DIVISION

VOLUNTARY WRITTEN STATEMENT

VOLUNTARY STATEMENT OF Thomas Babcock 454-58-9302
GIVEN THIS 9th DAY OF August, 19 99
at 11:30 o'clock A M. My name is Thomas Babcock
My address and telephone number are Huntsville Unit

TAB
I was in the 31A Cell block to escort inmates to Chow. Officer Johnson called ^{TAB} me from 31A10 Cell that an inmate was down and to call ^{TAB} medical. I shouted to Officer Chenevert to call for medical emergency. I went to 31A10 cell and found the inmate lying in an ^{TAB} awkward position on his back. The door to the cell was ^{TAB} locked, but I picked up the inmates ID, which was on the floor by the cell door.

I decided to get the 22 inmates in the cell block out of the way of the emergency. After medical arrived I took the 22 inmates to the chow hall. *TAB*

WITNESSES:

J. J. [Signature]

PERSON MAKING STATEMENT:

Thomas A. Babcock
Signature

Page 1 of 1 Pages



Texas Department Of Criminal Justice
INTERNAL AFFAIRS DIVISION

VOLUNTARY WRITTEN STATEMENT

VOLUNTARY STATEMENT OF MARY PAGE 459-74-4336

GIVEN THIS 8/9/99 DAY OF _____, 19____

at 12:35 o'clock pm M. My name is MARY PAGE

My address and telephone number are Huntsville Unit

MP Notified approximately 12³⁰pm that a patient was "passed out". To cell side - 3/A-10. Patient unresponsive to verbal command - NO pulse, no respirations noted. Face, neck, arms, hands mottled. Pt lying on back on bench with his feet on floor. CPR started - unable to insert oral airway - mouth stuff. Pt's head was turned to the left when found. Placed on back board transferred to gurney - then to ER area. CPR continued. Connected to Og to Ambulance, ECG 6 minutes and a 12 lead ECG done. Lead II and 12 lead ECG - straight line. Lt Maywald was at cell side. a security officer with during CPR. 12³⁵pm M. Mosely RNFNP was called - instructed to call 911 - 911 called. 12³⁰pm Walker County EMS here and continued CPR. Dr. Carolyn Galloway, Hummer Hospital called code @ 12³⁶pm. per Jeff Fritz paramedic field supervisor. Learning death 12³⁶pm. 12⁴⁵pm C. Longmeyer RN DON notified of events. 1325 Judge Bradley here. Body released 1505 to Huntsville Funeral Home. MP

WITNESSES:

PERSON MAKING STATEMENT:

[Signature]

Mary Page
Signature

Page 1 of 1 Pages



Texas Department Of Criminal Justice
INTERNAL AFFAIRS DIVISION

VOLUNTARY WRITTEN STATEMENT

VOLUNTARY STATEMENT OF Campbell Davis 822537
GIVEN THIS 9th DAY OF August, 19 99
at 12:58 o'clock P M. My name is Campbell Davis
My address and telephone number are Huntsville Unit

Cmd I AM SSI For pods 31 & 32A AT The Walls Unit. On Sunday, Aug. 8th I WAS WORKING, HAVING begun AT 7:00AM. I worked until 11:00AM. AND THEN WENT TO lunch. I returned around 11:40. STAFF LIAISON OFF. Johnson began ^{Cmd} pulling inmates out for lunch. I Assume the inmate in 10 cell did not respond. I was not close by at the time and did not notice anything was wrong until A nurse and several officers arrived, including LT. Maynard. AT That Time *Cmd* I ~~was~~ witnessed the inmate being removed by stretcher. *Cmd*

Cmd That morning I made several trips past 10 cell while carrying out my duties, sweeping and dispensing ^{Cmd} water to inmates. I carried pitchers of water and called out as I walked the aisle. If AN inmate responded, I stopped and gave him water. If not, I assumed he was asleep. I WAS never stopped by 10 cell. I did not notice anything wrong until they carried him out. *Cmd*

WITNESSES:

John powder

PERSON MAKING STATEMENT:

Campbell Davis
Signature

Page 1 of 1 Pages

FINKE, Charles Edward Jr. (W)	791418	Theft \$1,500-\$20,000	5Y	IIB	12	Yes
Name	Number	Offense	Sent.	Class	Ed.	Plea
03-23-2002	07-15-1999	Not Tested	93	36	6/24/61	7/31/97
Max Expir	Minimum Expiration	E.A./I.Q.	Age	DOB	Int./By	Religion
Travis				3/23/97	7/18/97	
COUNTY				Sent. Beg.	Date Received	

Clerk (IV) Cook Laborer

EMPLOYMENT

Inst.	Commits	Escapes	CONDUCT:
Prob			Jail Good Time Credited From Sentence Begin Date
b Snt	1REV		70th/72nd/73rd LEGISLATURE - MANDATORY SUPERVISION PROSPECT
ls	3		L1 EFF: 03/23/97 W EFF: 03/23/97
Reft'y			
Det Hosp			07/18/97: Ret'd Parole from Travis Co. w/new conv. Rem. of
Det Home			sent. as TDCJ-ID #641407 is conc.
St Trans	1		
Mil Pris			
TDCJ-ID	2.BW		
O/Pris			

Transfers & Assignments

DATE UNITS WORK

FINKE, Charles Edward Jr.
#791418

COMMITTEE RECOMMENDATIONS:

10-3-97: Diag (trans) head on for
intake processing per UT AD Rec

OCT 31 1997 Stevenson LI

11/4/97 SBCC (01) LT/MT/Re

12-5-97 KN UCC (01) rec: MI

12-15-97 KN UCC (11) rec: MI

12-10-98 KN UCC (06) rec: Promote to S4

Theft Over \$1,500-\$20,000 (1) (5 years conc.)

ILLNESS, INJURY OR DEATH - NOTIFY:

Norman Finke (BRO)

10422 Bolder Court, Ventura, CA

805-289-1908

RACE: WHITE

SEX: MALE

HEIGHT: 6'0"

WEIGHT: 275

COMPLEXION: RUDDY

EYES: HZL

HAIR: BRN

NATIVITY: Bitburg, GE

MARKS & SCARS:

BLIND RT EYE, TAT APRIL/TEARDROP OUTSD RT UPR ARM,
SOF/1 OUTSD LEFT UPR ARM, OPER SCAR MID FNGR RT HAND,
OPER SC LWR RT BCK, OTHER TATS AND SCARS

DETAINERS:

NSFERS & ASSIGNMENTS SUMMARY

CONDUCT

e Unit WORK

#791418

Current DPS report indicates 5 arrests--admits 7 arrests resulting in 1 short confinement Bexar County Jail for Robbery With Deadly Weapon (allegedly robbed massage parlor clerk at gunpoint, dismissed)--1 short confinement Travis County Jail for Traffic Violations (time served)--1 short Travis County Jail for Theft of Service \$20-\$500 (claims dismissed)--2 year adult probated sentence McLennan County 1983 for Burglary of Building (revoked as portion of first TDCJ-ID incarceration)--XX/TDCJ-ID #397841 on a 4 year sentence from McLennan County for 1 count of Unauthorized Use of Motor Vehicle, assigned Coffield Unit, Line Class 1 MINIMUM-IN on 6/18/85, SAT 4 effective 4/17/85 on 7/1/85, assigned Coffield Unit Industrial on 8/8/85, 8/20/85 RECORDS OFFICE CORRECTION RECEIVED CHANGE SENTENCE BEGIN DATE FROM 5/14/85 TO 4/17/85, maintained a clear record and released on Bench Warrant to McLennan County on 8/28/85; 10/1/85 returned from Bench Warrant to McLennan County with new charges of 2 years concurrent for 1 count Burglary of Building, assigned Coffield Unit, assigned Coffield Unit Industrial on 10/16/85, maintained a clear record and released on Parole to McLennan County on 11/12/85, received CLEMENCY DISCHARGE on 4/17/89; as TDCJ-ID #641407 originally received under N-Group #966328 on a 7 year sentence from Llano and Travis Counties for 1 count each of Burglary of Building and Theft \$750-\$20,000, assigned Marlin Detention Center on 12/23/92, maintained a clear record and transferred to TDCJ-ID on 5/21/93 and assigned TDCJ-ID #641407, assigned Smith Unit MINIMUM-IN SAT 4 effective 9/29/92 on 6/1/93, approved SSI clerk mattress factory on 6/21/93, SAT 3W effective 9/29/92 on 8/16/93, MAC 12/93 1.0 on 1/12/94, SAT 2W effective 9/29/92 on 1/18/94, reassigned to Clements Unit for Therapeutic Community Program on 4/7/94, maintained a clear record and released on Parole to Travis County 1/19/95; 7/18/97 returned from Parole from Travis County with a new conviction, remainder of sentence as TDCJ-ID #641407 is concurrent, received at Holliday State Transfer Facility, has maintained a clear record--RAT OF P.O. "STUPIDITY"--claims contact with father, 1 sib, 2 children--claims mother deceased--claims 1 marital failure with 1 child involved--claims 1 child through illicit relations--claims divorced--residence unstable--education claims 12--employment claims clerk (Institutionally VERIFIED), cook, laborer--home stability is poor due to death of mother at an early age and previous marital failure--admits the use of MARIJUANA, METHAMPHETAMINE beginning at the age of 21--admits the SALE of MARIJUANA beginning at the age of 21--admits 1 SUICIDE attempt at the age of 35 by OVERDOSING on VALIUM--current offense of Theft \$1,500-\$20,000 involves the subject writing approximately 42 hot checks worth over \$4,100 at various grocery and department stores in Austin, Texas--good jail report from the Travis County Jail Authorities--refer to D&E Classification Summary--ALIAS NAME: FINKE, Chuck; FINKE, Charlie--

THE FOLLOWING IS YOUR APPROVED VISITORS LIST:

CSIMF500

T.D.C.J. - INSTITUTIONAL DIVISION

INMATE VISITORS LIST

DATE: 10/10/97

TIME: 10:43:28

EDWARD

NAME: FINKE, CHARLES EUGENE JR

TDC #: 791418 STAT/CUST: L1 MI UNIT: GR

HSNG ASSIGNMENT: ROW C2

TR CELL: 10 LAST VISITOR LIST CHANGE: 07 22 97

INMATE TYPE: ID

01 NO REQUESTS MADE

MO

KW

PRESS PF2 KEY TO CORRECT ERRORS OR TO BROWSE VISITORS FOR THE CURRENT MONTH

CONTACT VISITS THIS MO: 0 LAST VISIT DATE: CONTACT VISIT ELIG. Y

CHANGES WILL BE MADE ONLY AFTER APPLICATION TO THE UNDERSIGNED:

REGULAR VISITS THIS MO: 0 LAST VISIT DATE:

SPECIAL VISITS THIS MO: 0 LAST VISIT DATE:

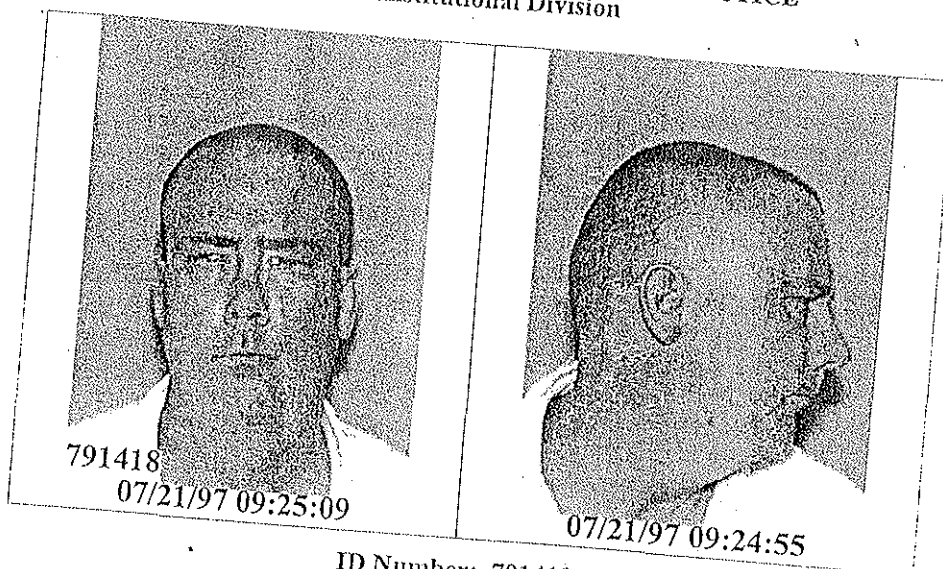
CHAIRMAN, STATE CLASSIFICATION COMMITTEE

ENTER NEXT TDCNO, WARDEN OR REQUEST: _____

BY: _____

on 5/21/93 and assigned TDCJ-ID #641407, assigned Smith Unit
MINIMUM-IN SAT 4 effective 9/29/92 on 6/1/93, approved SSI
clerk mattress factory on 6/21/93, SAT 3W effective 9/29/92 on
8/16/93, MAC 12/93 1.0 on 1/12/94, SAT 2W effective 9/29/92 on
reassigned to Clements Unit for Therapeutic Community
maintained a clear record and released on

TEXAS DEPARTMENT OF CRIMINAL JUSTICE
Institutional Division



ID Number: 791418

Date: 07/21/97

Name: CHARLES EDWARD FINKE JR

Transfers and Assignments

Date	Place	Work
	FINKE, Charles Edward Jr. #791418 JACKET #1	

XXXXXXXXXX SUMMARY (cont'd.)

NO ENHANCED ADMISSION SUMMARY

DPS#: 2660443
 FBI#: 553915V6
 SSN: 549-45-4824
 DL#: 04064337

Travis Counties Court Clerk
 Theft \$750-\$20,000, Plaintiff MSJ App No 4034
 12/23/92, maintained a clear record and transferred to TDCJ-ID

93

Patient Account: 20003386-909
 Med. Rec. No.: (0150)9012314
 Patient Name: **FINKE JR., CHARLES EDWARD**
 Age: 38 YRS DOB: 06/24/61 Sex: M Race: C
 Admitting Dr.: ARONSON MD, JUDITH F
 Attending Dr.:
 Date / Time Admitted: 08/09/99 0827
 Copies to:

UTMB
University of Texas Medical Branch
 Galveston, Texas 77555-0543
 (409) 772-1238
 Fax (409) 772-5683
Pathology Report

FINAL AUTOPSY REPORT

Autopsy Office (409)772-2858

Autopsy No.: AU-99-00224

AUTOPSY INFORMATION:

Occupation: INMATE Birthplace: UNKNOWN Residence: HUNTSVILLE UNIT
 Date/Time of Death: 08/08/99 12:36 Date/Time of Autopsy: 08/09/99 11:00
 Pathologist/Resident: ARONSON/HAQ Service: OUTSIDE TDCJ
 Restriction: NONE

FINAL AUTOPSY DIAGNOSIS

- I. Body as a whole: History of hyperthermia and sudden unexpected death. C1
- A. Lungs, bilateral: Congestion, edema, and multifocal hemorrhage A1
 - B. Heart, epicardium: Multiple petechiae A3
 - C. Blood: Myoglobinemia, consistent with rhabdomyolysis A1
 - 1. Kidneys: Pigmented tubular casts, consistent with acute tubular necrosis A1
 - D. Brain: Mild edema A2
 - E. Brain: History of major depressive disorder, treated with phenothiazine and tricyclic antidepressants C3
- II. Other findings:
- A. Testis, right: Seminoma (3 x 2.5 cm) A5
 - B. Kidney, right: Hydronephrosis, mild A5

CAUSE OF DEATH: Heat stroke
 MANNER OF DEATH: Accident

***TYPE: Anatomic(A) or Clinical(C) Diagnosis.
 IMPORTANCE: 1-immediate cause of death (COD); 2-underlying COD;
 3-contributory COD; 4-concomitant, significant; 5-incidental ***

Patient Name: FINKE JR., CHARLES EDW/
 Patient Location: AUTOPSY
 Room/Bed: -
 Printed Date / Time: 09/21/99 - 0930

Page: 1

Continued....

Plaintiffs' MSJ Appx. 4035

11.0

Patient Account: 20003386-909
Med. Rec. No.: (0150)9012314
Patient Name: **FINKE JR., CHARLES EDWARD**
Age: 38 YRS DOB: 06/24/61 Sex: M Race: C
Admitting Dr.: ARONSON MD, JUDITH F
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Pathology Report

FINAL AUTOPSY REPORT

Autopsy Office (409) 772-2858

Autopsy No.: AU-99-00224

CLINICAL SUMMARY:

The following clinical summary was obtained from TDCJ records and telephone conversation with TDCJ Investigator Mr. Alexander.

Charles Finke was a 38 year old white male, TDCJ inmate with a medical history significant only for depressive disorder. His most recent medication list indicates that he was prescribed Valproic acid, Benztropine, Hydroxyzine, Doxepin, and Chlorpromazine. A medical review prior to his scheduled release from prison on 8/9/99 indicated that he had no complaints. He was reportedly found pulseless and apneic in his cell on 8/8/99 at approximately 12:20 pm. He was allegedly last seen alive at 11:45 am on that same day. At the time of discovery, the skin was mottled, and the arms and jaw had rigor mortis. Resuscitation attempts were made, but the patient could not be revived. He was declared dead at 12:36 on 8/8/99. Axillary temperature after packing with ice was noted to be 106 degrees F. A complete autopsy was performed on 8/9/99, approximately 23 hours after his demise.

LH /EJ
08/18/99

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Pathology Report

Patient Account: 20003386-909

Med. Rec. No.: (0150)9012314

Patient Name: FINKE JR., CHARLES EDWARD

Age: 38 YRS DOB: 06/24/61 Sex: M Race: C

Admitting Dr.: ARONSON MD, JUDITH F

Attending Dr.:

Date / Time Admitted: 08/09/99 0827

Copies to:

FINAL AUTOPSY REPORT

Autopsy Office (409)772-2858

Autopsy No.: AU-99-00224

GROSS DESCRIPTION:

EXTERNAL EXAMINATION: The body is that of a 38 year old, well nourished, well developed, white male, measuring 187 cm in length, and weighing approximately 95 kg. There is rigor mortis present in the extremities, and there is fixed dependent lividity on the back surface. The skin of the head, neck, arms, and shoulders is purple and mottled. The head is normocephalic with normal, blonde short scalp hair. The irides are brown with equal pupils measuring 3 mm in diameter. The nares are patent with a little brown fluid exudate. The four upper front teeth are missing. Buccal membranes are pale. There is normal male hair distribution with sparse hair over the lower extremities. The chest does not have increased anterior-posterior diameter. The abdomen is flat. Lymph node enlargement is not present in the supraclavicular, axillary or inguinal regions. Multiple petechiae are present on the right arm. There is a small (3 mm) abraded skin lesion on the left shoulder. Otherwise, the extremities are unremarkable. The genitalia are those of a normal uncircumcised male. The spine shows moderate scoliosis. There is no external evidence of significant trauma.

INTERNAL EXAMINATION: The body is opened using a standard Y incision and reveals a 4.5 cm thick panniculus, and the thoracic and abdominal organs in the normal anatomic positions. The left pleural cavity contains < 20 ml fluid, the right < 20 ml fluid. There are no pleural adhesions on the right or left sides. The pericardial sac contains 50 ml blood stained clear fluid. The thymus is not identified. No thromboemboli are found within the large pulmonary arteries. The abdominal cavity contains < 50 ml fluid. There are no adhesions between loops of bowel.

CARDIOVASCULAR SYSTEM: Heart: The heart weighs 320 gm. The pericardium is smooth, glistening, pale tan with scattered petechial hemorrhages on the epicardial surface. Fresh sections stained with triphenyl tetrazolium chloride (TTC) show no acute ischemic lesions. The remaining myocardium is homogeneous red-brown. The endocardium is slightly congested diffusely. The left ventricle wall is 1.2 cm thick at the junction of the posterior papillary muscle and free wall, and the right ventricle is 0.2 cm thick 2 cm below the pulmonic valve annulus, anteriorly. The valve leaflets and cusps are white, delicate and membranous. Valve circumferences measured on the fresh heart are: tricuspid valve 11.5 cm, pulmonic valve 8.0 cm, mitral valve 11.5 cm, and aortic valve 7.5 cm. The foramen ovale is closed.

Blood vessels: The coronary circulation is right dominant. The apex is supplied by the anterior descending coronary artery. The coronary arteries reveal mild atherosclerotic plaques with up to 40% stenosis of the right, and left main located 1 cm from the origin. There is no evidence of hemorrhage within the plaques or thrombosis. The aorta exhibits mild atherosclerotic changes with no ulceration. The celiac, superior and inferior mesenteric, renal and iliac arteries are normal. The superior and inferior vena cavae and

Patient Name: FINKE JR., CHARLES EDWARD

Patient Location: AUTOPSY

Room/Bed: -

Printed Date / Time: 09/21/99 - 0930

Plaintiffs' MSJ Appx. 4037

Continued

Page: 3

Patient Account: 20003386-909
Med. Rec. No.: (0150)9012314
Patient Name: **FINKE JR., CHARLES EDWARD**
Age: 38 YRS DOB: 06/24/61 Sex: M Race: C
Admitting Dr.: ARONSON MD, JUDITH F
Attending Dr.:
Date / Time Admitted: 08/09/99 0827
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Pathology Report

FINAL AUTOPSY REPORT

Autopsy Office (409)772-2858

Autopsy No.: AU-99-00224

GROSS DESCRIPTION:

their branches are normal in configuration without external compression and are not distended with blood.

RESPIRATORY SYSTEM: Larynx and trachea: The laryngeal mucosa is white-tan and smooth and the vocal cords are unremarkable. The tracheal mucosa is white-tan, smooth and no lesions.

Lungs: The weight of the lungs is right 900 gm, left 800 gm. The pleural surfaces are tan-red and smooth. Lividity is dorsal and level of lividity is 50% of lung volume. The right lung is inflated with formalin and left lung is examined fresh before sectioning. Hilar dissection reveals the bronchial and pulmonary arterial trees to be of normal configuration. The bronchial mucosa is diffusely congested and dusky appearing. The hilar lymph nodes are unremarkable. The lung parenchyma is dark red, soft with fine porosity. Scraping the cut surface with a scalpel blade yields scanty foamy fluid. There is a peripheral, slightly firm, 1 cm, indistinct pale lesion in the right middle lobe.

GASTROINTESTINAL TRACT: Esophagus: The esophageal mucosa is white-tan and smooth. The esophagus is firmly anchored to the diaphragm.

Tongue: The tongue is removed and shows a finely granular surface with no coating.

Stomach and duodenum: The stomach contains < 100 ml chyme which is pale brown thick fluid. The wall displays normal rugae and the mucosa is white-tan and soft, without lesions. The duodenum has a tan, glistening mucosa with a normal plical pattern, without lesions.

Pancreas: The pancreas has a normal configuration of head and tail. It is gray-pink, lobulated and firm. The pancreatic duct is patent. The pancreas cuts with a gritty sensation.

Biliary tract: The gallbladder is present. The gallbladder serosa is gray-green and glistening. The gallbladder contains 50 ml yellow-brown clear bile and no stones. The mucosa is yellow-brown, smooth. The wall is unremarkable. The cystic duct, hepatic duct and common duct are patent, and bile is expressed freely.

Liver: The liver weighs 1300 gm. Glisson's capsule is translucent. The cut surface has a homogeneous lobular pattern cuts with ease, and does not ooze blood. The surface is tan-red, firm and display normal architecture except a white lesion, size < 1 cm, firm on the surface of the right lobe.

Small bowel: The serosa is smooth, translucent with no adhesions. The mucosa is tan and glistening with normal plications. The bowel wall reveals no gross lesions.

Large bowel: The serosa is smooth, translucent with no adhesions. The mucosa is tan, glistening and has no lesions. There are no diverticula or polyps present. The appendix is present and is not obstructed.

Rectum and anus: No lesions are noted and no abnormalities of the anal opening are present.

Patient Name: **FINKE JR., CHARLES EDWARD**
Patient Location: **AUTOPSY**
Room/Bed: -
Printed Date / Time: 09/21/99 - 0930

Patient Account: 20003386-909
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Patient Name: FINKE JR., CHARLES EDWARD
Age: 38 YRS DOB: 06/24/61 Sex: M Race: C
Admitting Dr.: ARONSON MD, JUDITH F
Attending Dr.:
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Pathology Report

FINAL AUTOPSY REPORT

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Autopsy No.: AU-99-00224

GROSS DESCRIPTION:

RETICULO-ENDOTHELIAL SYSTEM: Spleen: The spleen weighs 170 gm and the capsule is gray-blue, transparent, smooth without capsular fibrosis or infarcts. The spleen is firm and the cut surface oozes blood. The parenchyma is dark red and firm with adequate white pulp.

Lymph nodes: Lymph nodes in the mediastinum, abdomen and retroperitoneum are unremarkable. The cut surface shows normal architecture.

Bone marrow: The thoracic and lumbar spine bone marrow samples show normal red-tan bone marrow. The marrow trabeculae and cortical bone are unremarkable.

GENITO-URINARY SYSTEM: Kidneys: The right kidney weighs 130 gm and the left 140 gm. The capsules strip with ease to revealed tan-red, smooth cortical surfaces. The cut surfaces show well demarcated cortico-medullary junctions. The cortex varies from 0.9 to 1 cm in thickness; the medulla varies from 4 to 5 cm thickness. The renal pelvic mucosa is white-tan and smooth. The right renal pelvis is slightly enlarged.

Ureters: The ureters are unobstructed and have a tan, smooth glistening mucosa. No periureteral fibrosis is noted. The distal ureters are probe-patent into the bladder.

Bladder: The bladder is not dilated or contracted, and contains 30 ml clear urine. The mucosa is white, smooth and the bladder wall is unremarkable. A posttrigonal pouch is present. The trigone has a normal conformation.

Prostate: The prostate is white pale, firm. The cut surface reveals normal granular surface without distinct architecture. The seminal vesicles are unremarkable.

Testes: The right testis weighs 44.5 gm and the left 27.7 gm. The tunica albuginea is tan-white and glistening. The cut surface reveals a soft, tan-yellow parenchyma with tubules which string with ease. The right testis is infiltrated with a firm poorly circumscribed, firm white tumor, measuring 3 x 2.5 cm.

ENDOCRINE SYSTEM: Thyroid: The thyroid weighs 19.7 gm and is red-brown, bosselated and glistening. The cut surface is homogeneous, translucent and red-brown.

Parathyroids: There are four golden-brown, soft fragments of tissue identified as possible parathyroids.

Adrenals: The right adrenal weighs 15 gm and the left 20 gm. The adrenals have a normal conformation and position. Cut surface reveals a firm golden yellow-brown cortices, with gray soft medullae. The cortical thickness is brown or golden.

BRAIN AND SPINAL CORD: The gyri and sulci display a normal pattern with mild edema. The meninges show no hemorrhage. The circle of Willis, basilar and

Patient Name: FINKE JR., CHARLES EDWARD
Patient Location: AUTOPSY
Room/Bed: .
Printed Date / Time: 09/21/99 - 0930

Patient Account: 20003386-909
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FINAL AUTOPSY REPORT

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Autopsy No.: AU-99-00224

GROSS DESCRIPTION:

vertebral arteries show mild atherosclerosis. The brain is fixed in formalin for later examination by a neuropathologist (see neuropathology report). No indentation of the cingulate gyri, unci or molding of the cerebellar tonsils are noted.

SPINAL CORD: The spinal cord is not removed.

PITUITARY GLAND: The pituitary gland is removed and is fixed in formalin for subsequent examination by a neuropathologist.

During the autopsy cultures from the blood were taken for bacteria. Blood and vitreous samples were submitted for toxicology and electrolyte tests respectively. Samples of liver, kidney, heart, lung and spleen were frozen for potential further examination.

LH /EJ
08/10/99

Patient Name: FINKE JR., CHARLES EDWARD
Patient Location: AUTOPSY
Room/Bed: -
Printed Date / Time: 09/21/99 - 0930

Patient Account: 20003386-909

Med. Rec. No.: (0150)9012314

Patient Name: **FINKE JR., CHARLES EDWARD**

Age: 38 YRS DOB: 06/24/61 Sex: M Race: C

Admitting Dr.: ARONSON MD, JUDITH F

Attending Dr.:

Date / Time Admitted: 08/09/99 0827

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Pathology Report

FINAL AUTOPSY REPORT

Autopsy Office (409)772-2858

Autopsy No.: AU-99-00224

MICROSCOPIC DESCRIPTION:

HEART, Slide 2 (1 H&E): Diffuse interstitial edema and focal mild fibrosis is present. There are a few small hemorrhages in the epicardium.

LUNGS, Slides 4,5, 21-24 (5 H&E): Congestion and hemorrhage in most of the alveoli present. There are increased lymphocytes around pulmonary arteries and bronchi. There are dilated interstitial lymphatic vessels and pulmonary alveolar fluid consistent with pulmonary edema.

KIDNEYS, Slide 7 left, Slide 25 right (2 H&E): Severe congestion and scattered petechial hemorrhage present. A few pigmented granular casts present in tubules indicating acute tubular necrosis.

LIVER, Slide 11 (1 H&E): Unremarkable.

TESTIS, Slides 15 & 16 (2 H&E): Clear large and round-to-polyhedral seminoma cells present and divided into poorly demarcated lobules by delicate septa of fibrous tissue. High magnification shows clear cells with distinct cell membranes and lymphocytes infiltrating the septa. Adjacent testicular tissue is compressed, fibrotic, and atrophic.

ESOPHAGUS, Slide 8 (1 H&E): Unremarkable.

STOMACH, Slide 9 (1 H&E) and COLON, Slide 10 (1 H&E): Mucosal autolysis, otherwise unremarkable.

THYROID, Slide 1 (1 H&E) and PARATHYROID, Slide 18 (1 H&E): No pathologic changes.

SPLEEN, Slide 13 (1 H&E): Congestion and adequate white pulp.

PANCREAS, Slide 12 (1 H&E): Autolyzed.

PROSTATE GLAND, Slide 14, (1 H&E): Focal chronic inflammation, otherwise no significant pathology.

ADRENAL GLAND, Slide 6 (1 H&E): Congestion and focal hemorrhage.

POST-MORTEM LABORATORY TESTS:

Toxicology:

Drugs of Abuse Screen:

Urine Tricyclic Antidepressants Positive

FPIA Screen:

Patient Name: **FINKE JR., CHARLES EDWARD**

Patient Location: **AUTOPSY**

Room/Bed: -

Printed Date / Time: 09/21/99 - 0930

Plaintiffs' MSJ Appx. 4041

Continued....

Page: 7

Patient Account: 20003386-909
Med. Rec. No.: (0150)9012314
Patient Name: **FINKE JR., CHARLES EDWARD**
Age: 38 YRS DOB: 06/24/61 Sex: M Race: C
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Pathology Report

FINAL AUTOPSY REPORT

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Autopsy No.: AU-99-00224

MICROSCOPIC DESCRIPTION:

Serum valproic acid 28 mcg/ml

Common Basic Screen:

Serum Amitriptyline	Negative
Serum Nortriptyline	Negative
Serum Doxepin	Negative
Serum Desipramine	Trace
Serum Imipramine	Negative

Quantitative Tests:

Serum alcohol, ethyl	0.01%
Vitreous alcohol, ethyl	Negative

Vitreous electrolytes:

Glucose	7 mg/dl
Sodium	134 mEq/L
Potassium	18.5 mEq/L
CO2	14 meq/L

Serum Myoglobin: 409045 ng/ml (reference interval, antemortem <110 ng/ml)

Cultures:

Venous blood: Staphylococcus sp., coagulase negative (probably skin contaminant)

LH /EJ
09/09/99

Patient Account: 20003386-909
Med. Rec. No.: (0150)9012314
Patient Name: **FINKE JR., CHARLES EDWARD**
Age: 38 YRS DOB: 06/24/61 Sex: M Race: C
Admitting Dr.: ARONSON MD, JUDITH F
Attending Dr.:
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Fax (409) 772-5683
Pathology Report

NEUROPATHOLOGY CONSULTATION

Neuropath Office (409)772-2881

Autopsy No.: AU-99-00224

CLINICAL HISTORY:

This was a 38-year-old man TDCJ inmate. He was found unresponsive. The axillary temperature was reported to be 106 degrees F.

Pathologist/Resident: ARONSON/HAO

Service: OUTSIDE TDCJ

GROSS DESCRIPTION:

Brain, pachymeninges and pituitary gland are presented. The brain is neither substantially atrophied nor swollen. It is normally formed. There is a hypoplastic posterior communicating artery, but otherwise the circle of Willis is normally formed. Atherosclerosis is minimal. The dura mater does not have any blood or abnormal markings on its surfaces.

When the brain is sliced coronally there are no focal lesions. There is no hemorrhage. There are no territorial infarcts. There is a cavum septum pellucidum.

DICTATED BY: BENJAMIN B. GELMAN, M.D., PATHOLOGIST
08/27/99

MICROSCOPIC DESCRIPTION:

The sections confirm the gross impressions.

SECTIONS TAKEN:

B1) pituitary; B2) left frontal; B3) left hippocampus; B4) cerebellar vermis;

FINAL DIAGNOSES:

1. BRAIN:
 - No gross abnormalities
2. DURA MATER:
 - No gross abnormalities
3. PITUITARY GLAND:
 - No gross abnormalities

BENJAMIN B. GELMAN, M.D., PATHOLOGIST
Division of Neuropathology
(Electronic Signature).

Gross: 08/27/99
Final: 09/07/99

Patient Name: **FINKE JR., CHARLES EDWARD**
Patient Location: **AUTOPSY**
Room/Bed: -
Printed Date / Time: 09/17/99 - 1601

Page: 1

END OF REPORT

Plaintiff's MSJ Appx. 4043

11.7

Patient Account: 20003386-909

Med. Rec. No.: (0150)9012314

Patient Name: FINKE JR., CHARLES EDWARD

Age: 38 YRS DOB: 06/24/61 Sex: M Race: C

Admitting Dr.: ARONSON MD, JUDITH F

Attending Dr.:

Date / Time Admitted: 08/09/99 0827

Copies to:

UTMB

University of Texas Medical Branch

Galveston, Texas 77555-0543

(409) 772-1238

Fax (409) 772-5683

Pathology Report

FINAL AUTOPSY REPORT

Autopsy Office (409)772-2858

Autopsy No.: AU-99-00224

CLINICOPATHOLOGIC CORRELATION:

This inmate died suddenly and unexpectedly in his prison cell.

Autopsy findings support the clinical impression of heat stroke. Anatomic findings compatible with this diagnosis are pulmonary hemorrhages and epicardial petechiae (fatal heat stroke is associated with disseminated intravascular coagulation), and acute tubular necrosis of the kidneys, with prominent pigmented casts, consistent with myoglobinuria. Post-mortem serum myoglobin levels were extremely elevated, even if post-mortem autolysis is factored in. Together with the renal findings, this suggests that there was significant rhabdomyolysis, a feature of heat stroke (1). Significantly, there was no evidence of clinically important coronary artery disease, or any other potential cause of sudden death. Post-mortem toxicology was negative for drugs of abuse or alcohol, and showed only the presence of small amounts of prescription drugs that were noted in his clinical record. Of note, both phenothiazines and tricyclic antidepressants have been associated with abnormalities of thermoregulation (2), and may have predisposed this otherwise apparently healthy individual to heat stroke. Dehydration, which does not necessarily accompany heatstroke, was ruled out by vitreous electrolyte studies.

Combining the clinical settings of high body temperature, high ambient temperature, pulmonary congestion, hemorrhage and edema, acute tubular necrosis, the evidence of using tricyclic antidepressants and excluding other possible causes of sudden death, we conclude that this individual died of heat stroke. The manner of death is accidental.

References:

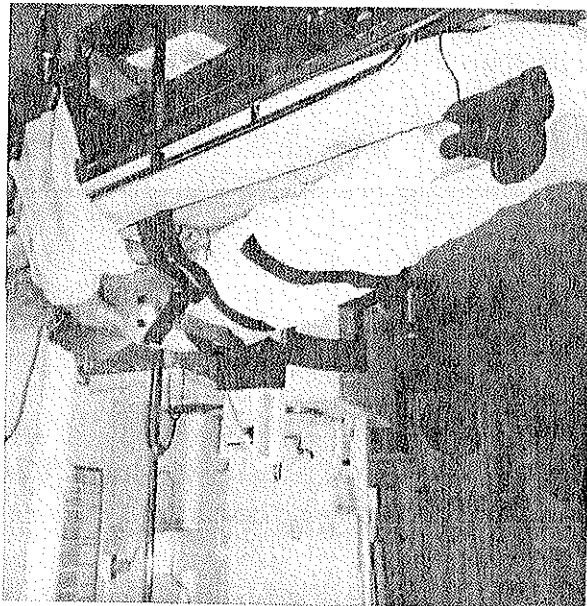
1. Dematte JE, et al. Near-fatal heat stroke during the 1995 heat wave in Chicago. *Annals of Internal Medicine*, 129:173-181 (1998).
2. Lomax P. and Schonbaum E. The effects of drugs on thermoregulation during exposure to hot environments. *Progress in Brain Research* 115:193-204 (1998).

LH /da
09/08/99

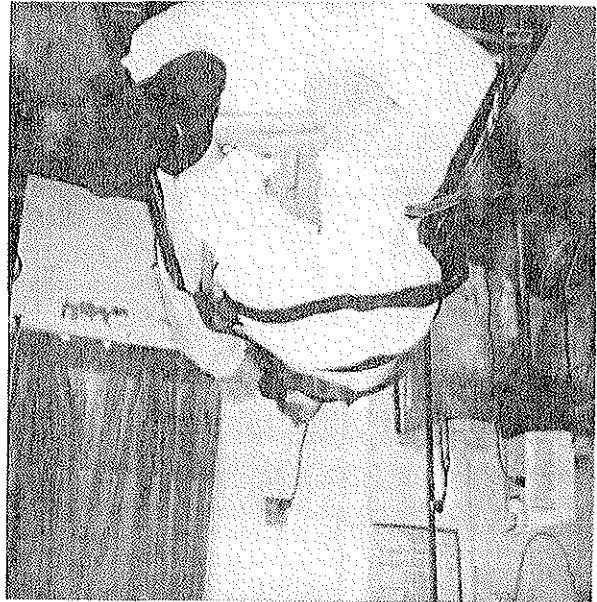
JUDITH F. ARONSON, M.D., PATHOLOGIST
LEI HAO, M.D.
09/20/99

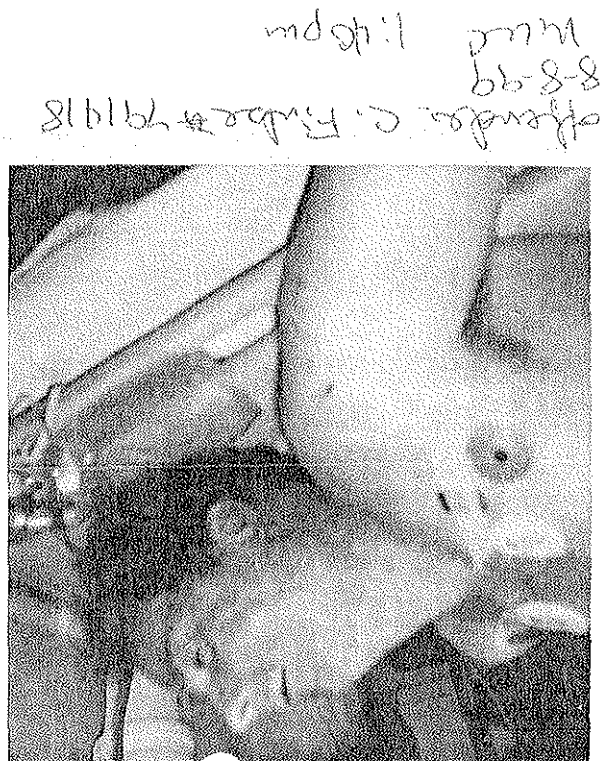
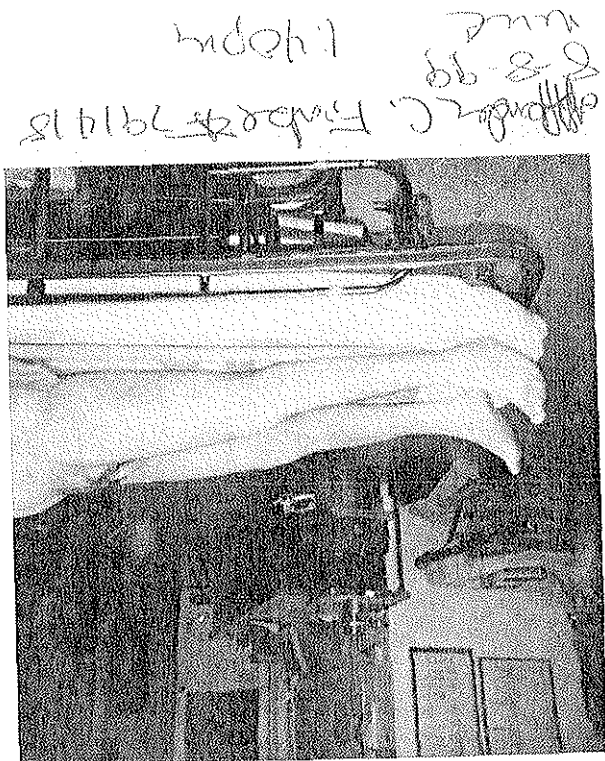
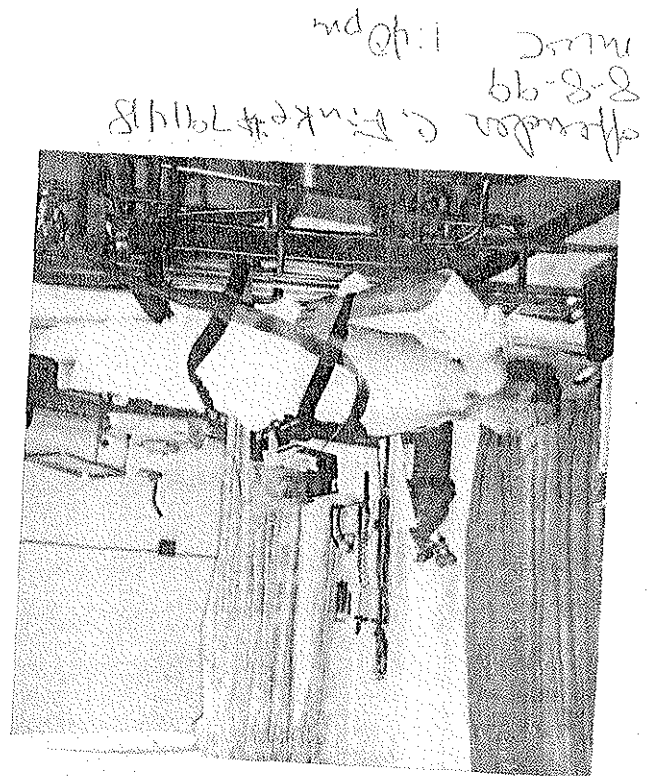
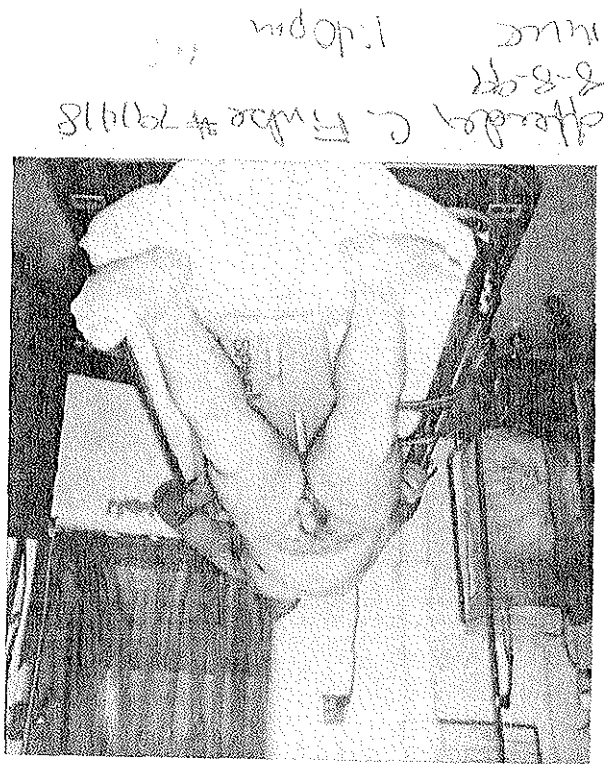
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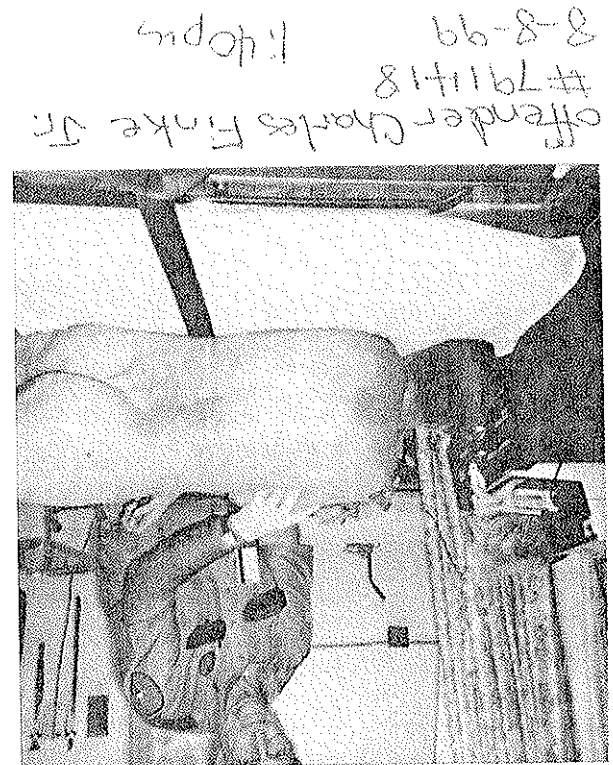
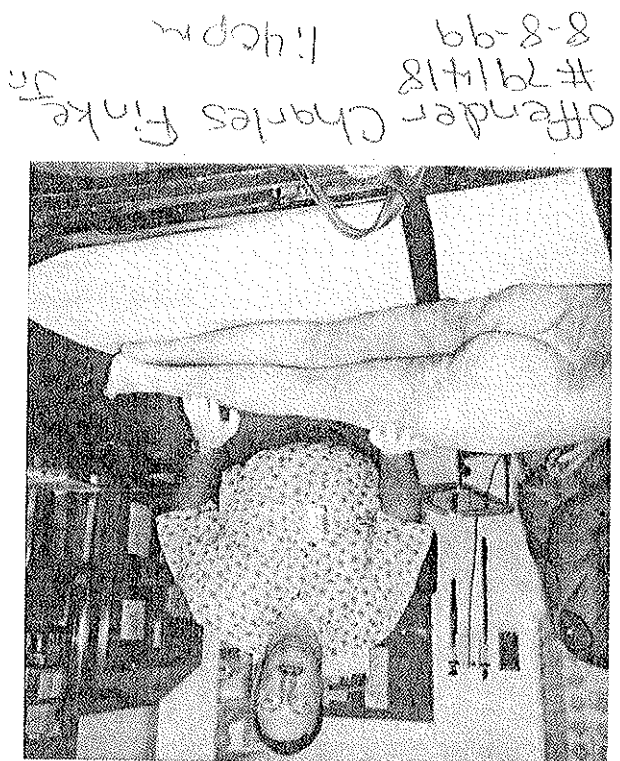
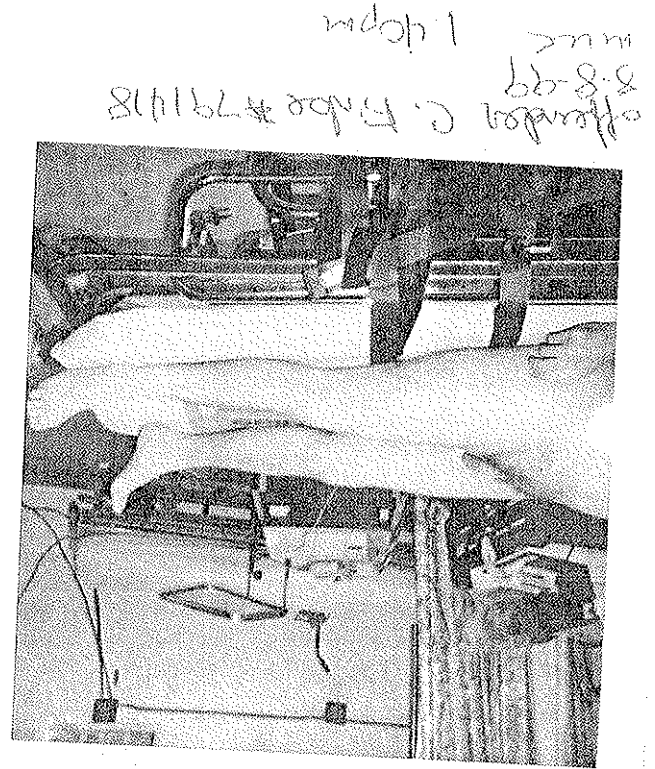
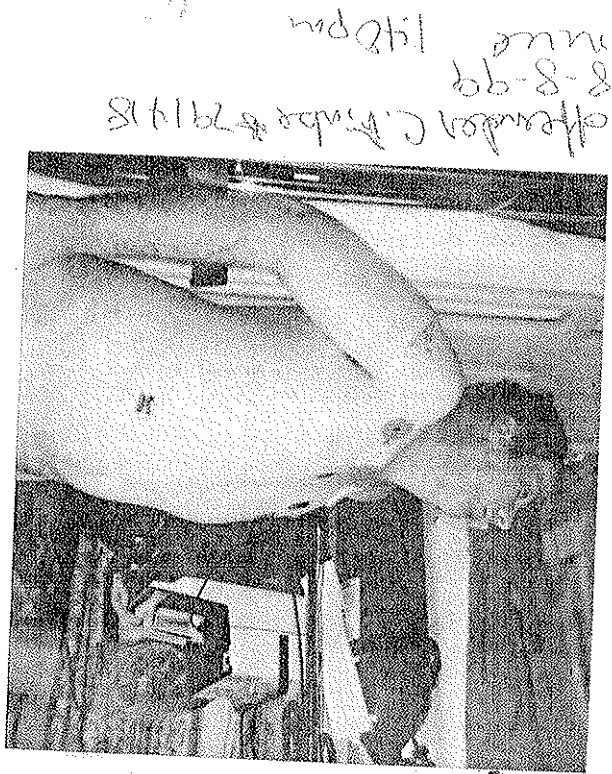
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8-8-99
muc 1:40pm

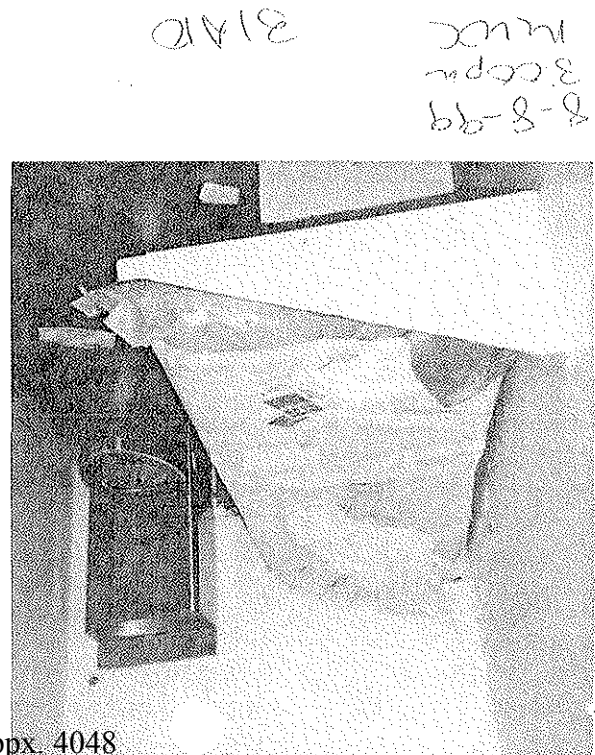
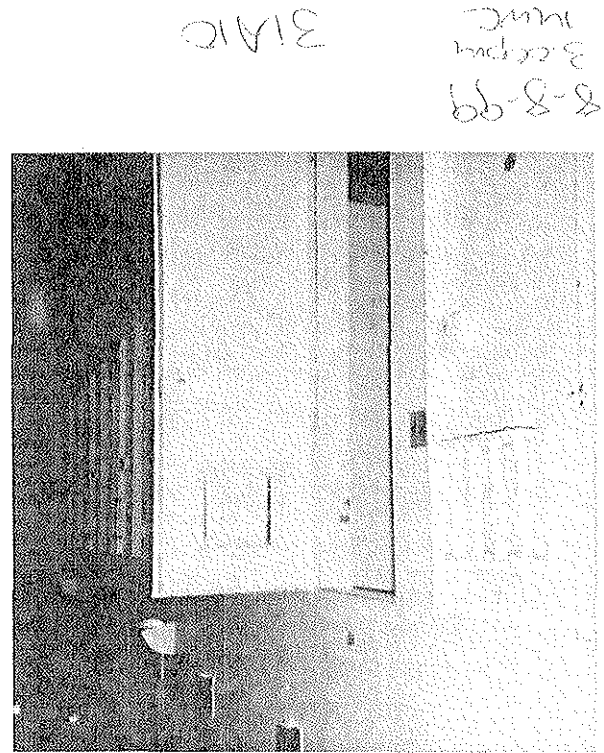
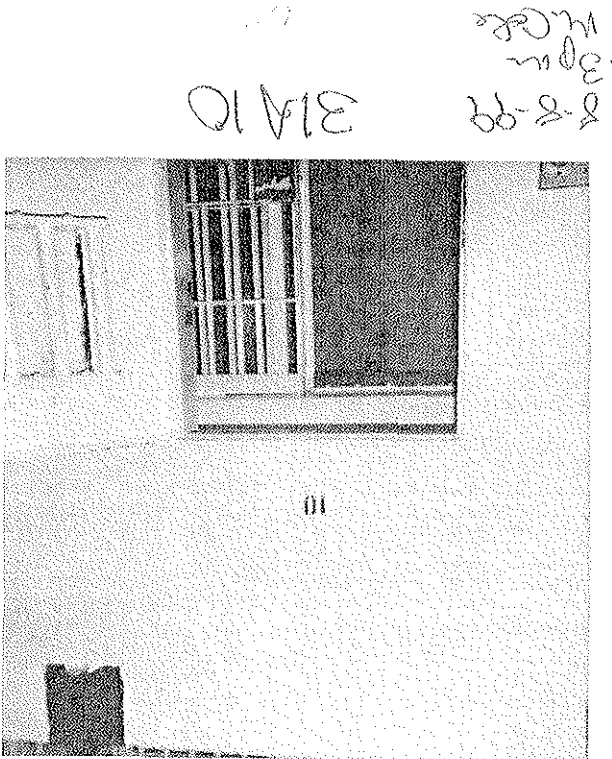


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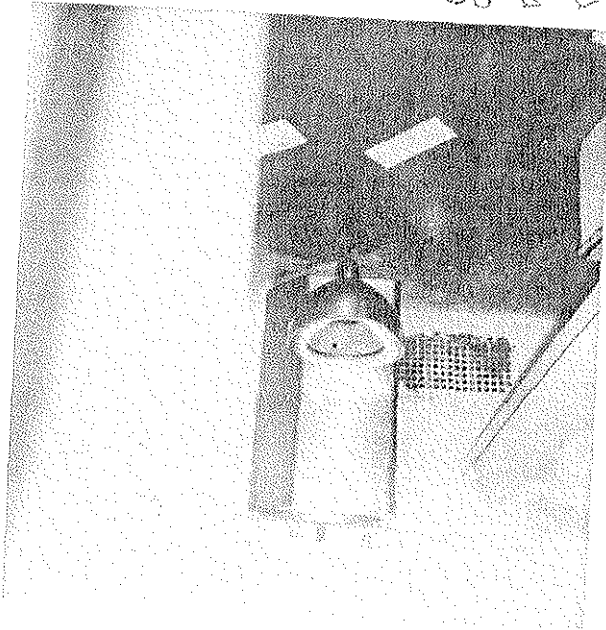




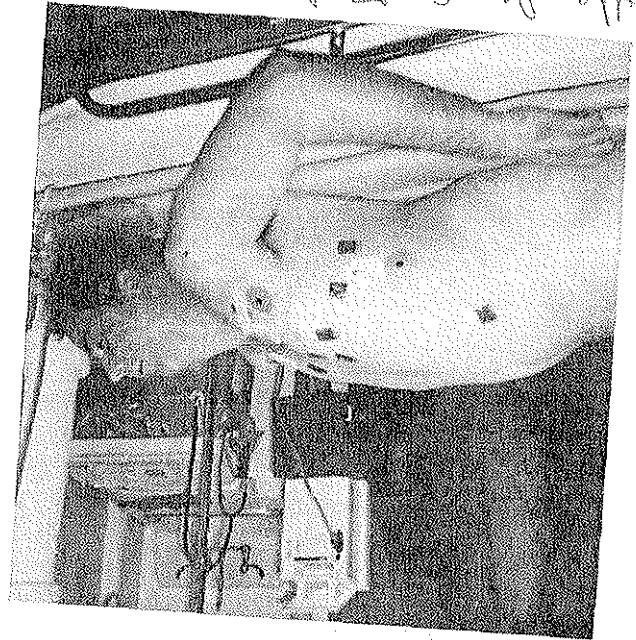




8-8-99 3:00pm MISC 31A10



8-8-99 1:40pm MISC
Offender C. Fink #79148



8-8-99 3:00pm MISC 31A10



8-8-99 1:40pm MISC
Offender C. Fink #79148

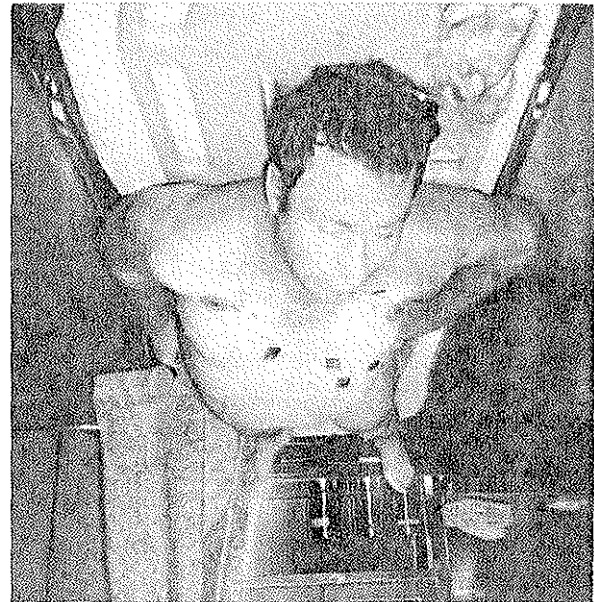


Photographs depicting Offender FINKB, TDCJ-ID# 791418, exposed August 8, 1999, by Investigator Mark COLE.

Offender C. Finkb # 791418
8-8-99
1:40pm



Offender C. Finkb # 791418
8-8-99
1:40pm



99-1487TDCJ